

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

SUITS- SSP-Kurnool Unit-Kurnool District-Erramatam Village-Kothapalli Mandal-EP.No. 20/08 in OPNo.275/92 filed by P. Pakkiraiah (died) LRs P. Balamma & 5 others on the file of Senior Civil Judge, Atmakur for realization of decretal amount-Budget Proposals for Rs. 2,21,800/- -Sanction orders-Issued.

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**IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT**

G.O.Rt.No. 89

Dated: 02 -02-2010

Read the following:

1. From the Special Collector, Srisailem Project, Kurnool Lr.No. Rc.A3/926/08, Dated: 12.8.2009
2. Special Chief Secretary to Government and C.C.L.A. A.P. Hyderabad Lr. CCLA's Lr. No.SRP4/830/09, Dated: 2.11.2009.

**ORDER:**

The Special Collector, Srisailem Project, Kurnool and Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P. Hyderabad in their letters Ist and 2<sup>nd</sup> read above has reported that the lands in Sy.NO.292, Extent 5.64 acres of Erramatam village of Kothapalli Mandal of Kurnool District of P.Chinna Pakkiraiah were acquired for the purpose of Srisailem Hydro Electric Project in Award No.26/77, dated 14.11.77. The compensation amount of Rs. 10,152/- was paid to the awardees and 15% Solatium of Rs. 1523/- @ M.V.Rs.1800/- per acre, for dry land. Aggrieved by the market value fixed by the Land Acquisition Officer, the land owner sought reference U/s. 18 of L.A. Act to the Civil Court, for enhancement of land compensation. On making reference U/s. 18 of L.A. Act to the Lower court, the Senior Civil Judge, Atmakur in **O.P. No. 275/92 dt: 9.6.99** had delivered judgment by enhancing market value from Rs. **1800/- to Rs. 7,000/-** per acre and other statutory benefits. No appeal has been filed against the orders of the Civil Court though the enhancement made by the Civil Court is more than 100% neither by the State nor by the D. Hr due to enhancement ordered by the Hon'ble Court @ Rs. 7000/- per acre for dry lands is one and the same, as per enhancement made by the Lok Adalat, the Government have issued orders vide G.O.Ms.No. 234, dated: 15.10.1993. The claimant has not opted to come under the above Lok Adalat for settlement under G.O.Ms.No. 234, dated: 15.10.1993. No interest payment has been made to the D.Hr. The Assistant Government Pleader, Atmakur in his letter dt: 27.9.06 has opined that the amount awarded by the Hon'ble Judge is very low and no reasonable and sufficient grounds to prefer an appeal and the claimant in O.P.No. 275/92 has filed E.P. No. 23/2000 and the same was dismissed as not pressed by the claimant on 22.01.2004. The claimant has again filed fresh E.P.No. 20/08 before Hon'ble Senior Civil Judge, Atmakur for realization of the decretal charges and dismissed on 09.04.2009. Finally, the Special deputy Collector has submitted budget proposals and requested for sanction of final decretal proposal for Rs. 2,21,800/- for payment of the same to the claimant in O.P. No. 275/92 of Erramatam Village.

The Special Collector, Srisailem Project, Kurnool has requested for sanction of an amount of **Rs. 2,21,800/- /-(Rupees Two lakhs Twenty One thousands Eight Hundred only)** towards final decretal charges to deposit the same in the Civil Court for payment of decretal Charges to the claimants as ordered by the Hon'ble High Court in **Award No.26/77, dated: 14.11.77** against the **O.P.No.275/92** to avoid further legal complications. The CCLA, A.P. Hyderabad has recommended for an amount of Rs. 2,21,800/-.

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After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 2,21,800/- (Rupees Two lakhs

Twenty One thousands Eight hundred only) towards final decretal charges to be deposited in Lower Court in O.P.No. 275/92 in Award No.26/77, Dt: 14.11.77 pertaining to Erramatam Village, Kothapalli Mandal, Kurnool District for the purpose of Srisailem Hydro Electric Project, subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the District Collector, Ananthapur should verify the calculations made by the RDO (LAO), once again thoroughly with references to the decree and instructions issued by the Govt /CCLA, Hyderabad. On the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in the Lower Court.

The Special Collector, Srisailem Project, Kurnool is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated: 30.4.2007 in W.P. No. 2181/2005 in depositing the above sanctioned decretal amount in the respective court.

The amount sanctioned in para ( 3 ) above shall be debited to the detailed Head of Account ""2801 -Power Projects- 01-Hydel Generation, M.H. 105-SHEP; G.H.11 Normal State Plan, SH(26) Dams & Appurtenant works; 530-Major Works, 532- Lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This order issues with the concurrence of Finance (W & P) Department vide their U.O.No. 4966/ F5/A1/09, Dated: 25.1.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,  
SECRETARY TO GOVERNMENT

To  
The Special Chief Secretary & CCLA, A.P. Hyderabad  
The Special Collector, Srisailem Project, Kurnool  
The District Collector, Kurnool  
The Chief Engineer, Irrigation, Hyderabad  
The Special Deputy Collector, L.A& Reh.,, SSP, Kurnool  
The Revenue Divisional Officer, Kurnool  
The Superintending Engineer, I & CAD, Kurnool  
The Director of Works and Accounts, Hyderabad  
Copy to  
P.S. to Minister ( M & MI)  
Law Department/Finance (W&P) Department  
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//FORWARDED BY ORDER//

SECTION OFFICER